

REMARKS

Claims 1-10 are pending in the present application.

The amendment of Claims 1, 4, and 5 are supported by original Claims 1, 4, and 5 and the specification as originally filed.

The Office has required restriction in the present application as follows:

- Group I: Claims 1-4 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO:1 or a partial peptide thereof;
- Group II: Claims 1-4 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO:2 or a partial peptide thereof;
- Group III: Claims 1-4 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO:3 or a partial peptide thereof;
- Group IV: Claims 1-4 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 4 or a partial peptide thereof;
- Group V: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 5 or a partial peptide thereof;
- Group VI: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 6 or a partial peptide thereof;
- Group VII: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 7 or a partial peptide thereof;
- Group VIII: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 8 or a partial peptide thereof;
- Group IX: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 9 or a partial peptide thereof;
- Group X: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 10 or a partial peptide thereof;
- Group XI: Claims 1-3, 5 and 6, drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO: 11 or a partial peptide thereof;
- Group XII: Claim [7], drawn to a nucleic acid sequence comprising SEQ ID NO:15;
- Group XIII: Claim [8], drawn to a nucleic acid sequence comprising SEQ ID NO:20;

Group XIV: Claim [9], drawn to an nucleic acid sequence comprising SEQ ID NO:21; and

Group XV: Claim [10], drawn to an nucleic acid sequence comprising SEQ ID NO:22.

Solely for the purpose of compliance to the outstanding Restriction Requirement, Applicants elect, with traverse, Group I, Claims 1-4 and 6 drawn to an antibody that recognizes a peptide having 80% homology with SEQ ID NO:1 or a partial peptide thereof.

Applicants respectfully submit that the Examiner has mischaracterized the present invention. In particular, the Examiner restricted the detection kit into many “distinct” groups. To support the Restriction Requirement, the Examiner has characterized Claim 1 to include many severable SRSV detection kits: i.e., a SRSV detection kit comprising solely an antibody against peptide (a), a SRSV detection kit comprising solely an antibody against peptide (b), and so on. However, Applicants note that this characterization by the Examiner is incorrect, as present Claim 1 is a detection kit which includes antibodies against *each* of peptides (a) through (k). As such these peptides cannot be severed from each other as in the present Restriction Requirement, since the detection kit as a whole comprises the special technical feature. Accordingly, Applicants submit that the Restriction Requirement is improper and request it be withdrawn.

Moreover, MPEP in §803 states as follows:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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IN THE CLAIMS

Please amend the claims as shown in the marked-up copy to read as follows:

1. (Amended) An SRSV detection kit comprising [all] antibodies against SRSV-related virus constituting peptides [selected from the following peptide groups] (a) to (k), [respectively] wherein said peptides (a) to (k) are as follows:

(a) a peptide having an amino acid sequence represented by SEQ ID NO:1 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(b) a peptide having an amino acid sequence represented by SEQ ID NO:2 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(c) a peptide having an amino acid sequence represented by SEQ ID NO:3 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(d) a peptide having an amino acid sequence represented by SEQ ID NO:4 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(e) a peptide having an amino acid sequence represented by SEQ ID NO:5 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(f) a peptide having an amino acid sequence represented by SEQ ID NO:6 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(g) a peptide having an amino acid sequence represented by SEQ ID NO:7 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(h) a peptide having an amino acid sequence represented by SEQ ID NO:8 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(i) a peptide having an amino acid sequence represented by SEQ ID NO:9 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(j) a peptide having an amino acid sequence represented by SEQ ID NO:10 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof, and

(k) a peptide having an amino acid sequence represented by SEQ ID NO:11 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof.

4. (Amended) An SRSV detection kit for discriminating genogroup of SRSVs, the kit comprising [all] antibodies against SRSV-related virus constituting peptides [selected from the following peptide groups] (a) to (d), [respectively] wherein said peptides (a) to (d) are as follows:

(a) a peptide having an amino acid sequence represented by SEQ ID NO:1 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(b) a peptide having an amino acid sequence represented by SEQ ID NO:2 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(c) a peptide having an amino acid sequence represented by SEQ ID NO:3 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof, and

(d) a peptide having an amino acid sequence represented by SEQ ID NO:4 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof.

5. (Amended) An SRSV detection kit for discriminating genogroup of SRSVs, the kit comprising [all] antibodies against SRSV-related virus constituting peptides [selected from the following peptide groups] (e) to (k), [respectively] wherein said peptides (e) to (k) are as follows:

(e) a peptide having an amino acid sequence represented by SEQ ID NO:5 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(f) a peptide having an amino acid sequence represented by SEQ ID NO:6 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(g) a peptide having an amino acid sequence represented by SEQ ID NO:7 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(h) a peptide having an amino acid sequence represented by SEQ ID NO:8 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(i) a peptide having an amino acid sequence represented by SEQ ID NO:9 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof,

(j) a peptide having an amino acid sequence represented by SEQ ID NO:10 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof, and

(k) a peptide having an amino acid sequence represented by SEQ ID NO:11 and peptides having at least 80% [of] homology with said amino acid sequence, and partial peptides thereof.